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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/391,781	09/08/1999	GEORGE W. PALMER	99CR107/KE	9067

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EXAMINER
HAILU, TADESSE

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 06/24/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/391,781	Applicant(s) George W. Palmer et al.
	Examiner Tadesse Hailu	Art Unit 2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *May 9, 2002*.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-4, 6-12, 14, 17, 18, 21, and 22* is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-4, 6-12, 14, 17, 18, 21, and 22* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
4) ☐ Interview Summary (PTO-413) Paper No(s). _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

1. This Office Action is in response to the Amendment entered 5/9/2002 for the patent application (09/391,781) filed on 9/8/1999.

Status of the claims

2. Claims 5, 13, 15, 16, 19, and 20 are canceled by the Applicant and claims 1-4, 6-12, 14, 17, 18, 21 and 22 are pending.

Claim Objections

3. Claim 17 is objected to because of the following informalities: claim 17 is depending on the canceled claim 16. Appropriate correction is required.

Claim Rejections - 35 U.S.C. § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

5. **Claims 1-4, 6-12, 14, 17, 18, 21 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Briffe et al (6,112,141).**

Briffe et al ("Briffe") relates generally to aircraft flight information and control system which permit simplified flight planning and navigation procedures, reduced cost, reduced pilot workload, and improved safety. Moreover, Briffe relates to an improved graphical oriented aircraft display and control interface. Briffe reads over the present claimed invention as follows:

In regard to claim 1, Briffe discloses an avionics system (Fig. 2). The system includes an avionics radio receiver (Fig. 2, #71); the system also includes a plurality of displays (16, 18, 20, and 22) coupled to said avionics receiver (71) (see Fig. 2); the system further includes an pedestal (14) (or operational system), coupled to said displays (Fig. 1, #14); the displays further includes a GUI (see Figs. 3, 5, 7, 9, etc) and a displayed cursor (21) to manipulate the displayed items (see Figs. 21, 22, 23, etc).

The system of Briffe further discloses (also as admitted by the Applicant's *REMARKS*) a return to a pre-existing display after a button is pressed. Screen 502 is located above each MFD 18, 20, when activated it become a pop-up or expanded screen 502 (Fig. 17). Screen 502 can return back to its pre-existing display size (Fig. 1, col 23, lines 29-40) either by clicking a symbol/button or by clicking on a blank area of the screen. Thus, Briffe's system discloses expanded segment return to its preexisting display after a button has been manipulated.

In regard to claim 2, Briffe's pedestal (14) which includes a plurality of pilot controls, such as switch (38), keyboard (34), trackballs (44), etc. are used to manipulate data in a navigational system (col 5, lines 21-61).

In regard to claim 3, the system of Briffe discloses a plurality of multi-function displays (see Fig.1, #18, and #20).

In regard to claim 4, the system of Briffe discloses a communication radio receiver (col 7, lines 41-46).

In regard to claims 6, and 11, the system of Briffe discloses a GUI wherein the GUI includes a simultaneous window display, such as a simultaneous COM 1 and COM 2 radio frequency display (Fig. 17-20, col 20, lines 34-48).

In regard to claims 7 and 12, the system of Briffe discloses manually controlled (pedestal 14) interface. The GUI shown in Fig. 17-20 includes interactive controls, manually controlled push-button (504), rotary knob (506) swapping button (508). Activation of these controls invoke a predetermined screen display, such as activating button 504 of Fig. 17 results Fig. 18. ("a predetermined relationship") (col 23, lines 29-61, col 39, lines 52-63, col 45, lines 41-45).

In regard to claim 8, the system of Briffe discloses a unit of display located above each MFD 18, 20, and includes a screen (502), may be a touch-sensitive screen, interacting with the screen displays screen (502) in a pop-up or expanded view of a page or device managed (see Fig. 17, col 23, lines 29-67).

In regard to claim 9, as indicated in the rejection to claim 1, Briffe discloses an avionics system (Fig. 2). The system includes an avionics radio receiver (Fig. 2, #71); the system also includes a plurality of displays (16, 18, 20, and 22) coupled to said avionics receiver (71) (see Fig. 2); the displays further includes a GUI (see Figs. 3, 5, 7, 9, etc) and a displayed cursor (21) to

manipulate the displayed items (see Figs. 21, 22, 23, etc); Briffe's GUI provides an expanded view of a page or device managed (see Fig. 17, col 23, lines 29-67).

In regard to claim 10, as indicated in the rejection to claim 1, the system of Briffe further discloses (also admitted by the Applicant) a return to a pre-existing display after a button is pressed. Screen 502 is located above each MFD 18, 20, when activated it become a pop-up or expanded screen 502 (Fig. 17). Screen 502 can return back to its pre-existing display size (Fig. 1, col 23, lines 29-40)) either by clicking a symbol/button or by clicking on a blank area of the screen.

In regard to claim 14, as indicated in the rejection to claim 1, Briffe discloses an avionics system (Fig. 2). The system includes an an avionics radio receiver (Fig. 2, #71); the system also includes a plurality of displays (16, 18, 20, and 22) coupled to said avionics receiver (71) (see Fig. 2); the displays further includes a displayed cursor (21) and GUI for graphically manipulating a plurality of managed devices, such as a radio signals (see Figs. 3, 5, 7, 9, 21, 22, 23, etc). The system of Briffe further discloses (also admitted by the Applicant) a return to a pre-existing display after a button is pressed. Screen 502 is located above each MFD 18, 20, when activated it become a pop-up or expanded screen 502 (Fig. 17). Screen 502 can return back to its pre-existing display size (Fig. 1, col 23, lines 29-40)) either by clicking a symbol/button or by clicking on a blank area of the screen. The system of Briffe discloses a GUI wherein the GUI includes a simultaneous window display, such as a simultaneous COM 1 and COM 2 radio frequency display under screen (502) (col 20, lines 34-48).

In regard to claim 17, as indicated in rejection of claim 1, Briffe further discloses pedestal (14) (or operational system), coupled to said displays (16, 18, 20, and 22) for manipulating managed devices or pages (col 5, lines 21-61).

In regard to claim 18, the system of Briffe discloses a unit of display located above each MFD 18, 20, and includes a screen (502), may be a touch-sensitive screen, interacting with the screen displays screen (502) in a pop-up or expanded view of a page or device managed (see Fig. 17, col 23, lines 29-67).

In regard to claim 21, the claim includes subject matter of claims 1, and 12 and therefore are rejected under the same rationale.

In regard to claim 22, as indicated in the rejection of claim 8, the system of Briffe discloses a unit of display located above each MFD 18, 20, and includes a screen (502), may be a touch-sensitive screen, interacting with the screen displays screen (502) in a pop-up or expanded view of a page or device managed (see Fig. 17, col 23, lines 29-67).

Response to Arguments

6. Applicant's arguments filed 5/9/2002 have been fully considered but they are not persuasive. .

Applicant is arguing that "neither Briffe nor the remaining cited art disclose a graphical user interface that 'returns a display shown on said display to a pre-existing display upon a passage of time,' as recited in amended claim 1." In contrast to the Applicant's argument the

claim language reads "an avionics system comprising:" thus, the claim could include any equivalent limitations. Moreover, the claim does not recite that return to a pre-existing display is accomplished without user input. Thus, within the predetermined time period or "passage of time" manipulation by the pilot could be made. The argument made by the applicant "No input is required from the pilot to cause such a return is not in the claimed language. Thus, the argument is not persuasive. .

Applicant also argues "Briffe does not disclose a radio control that, when manually manipulated, causes a cursor to move to a predetermined portion of the display, as recited by amended claim 7." In contrast to the Applicant's argument Briffe does disclose a pedestal (14) (or operational system), coupled to said displays (16, 18, 20, and 22) for manipulating managed devices or pages (col 5, lines 21-61). Briffe also discloses manipulatable radio controls on screen 502 (See Fig. 17).

Respect to claim 8, the applicant further argues "Briffe does not disclose any expanded view of a radio function based on cursor position." In contrast to the applicant's argument, Briffe does disclose any expanded view of a radio function based on cursor position (see Fig. 17). The system of Briffe further discloses a unit of display located above each MFD 18, 20, and includes screen (502), may be a touch-sensitive screen, interacting with the screen displays screen (502) in a pop-up or expanded view of a page or device managed (see Fig. 17, col 23, lines 29-67).

Applicant also presents other arguments which are similar to the above arguments, and therefore are not persuasive under the same rationale.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to *Tadesse Hailu*, whose telephone number is (703) 306-2799. The Examiner can normally be reached on M-F from 10:00 - 7:30 ET. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, *John Cabeca*, can be reached at (703) 308-3116 Art Unit 2173 CPK 2-4A51

9. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Tadesse Hailu 02 Jan 2002

RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173